

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

KURT F. WILKENING,

Plaintiff,

v.

**VEOLIA ES EVERGREEN LANDFILL,
INC., a Georgia corporation; and VEOLIA
ES PECAN ROW LANDFILL, LLC, a
Georgia limited liability corporation,**

Defendants.

Civil Action 7:10-CV-122 (HL)

ORDER

This case is before the Court on Plaintiff's Motion to Strike Defendants' Sur-Reply Letter Brief or, Alternatively, to File a Response to Defendants' Sur-Reply Letter Brief (Doc. 87). The Motion is granted, in part, and denied, in part.

On November 15, 2011, Defendants filed a motion for leave to file a sur-reply brief in response to Plaintiff's reply brief in support of his motion for summary judgment (Doc. 85). The Court denied the motion in a text order on November 16, 2011. Nevertheless, Defendants filed a letter (Doc. 86) on November 21, 2011, which in essence was a sur-reply to Plaintiff's reply brief.

Plaintiff has now requested that the Court either strike the letter or allow Plaintiff to file a response to the letter. The request to strike the letter is granted. The Court has all of the briefs and documents it will accept regarding Plaintiff's summary judgment motion. Plaintiff's Motion to Strike (Doc. 87) is granted, but the request for sanctions is denied at this time.

SO ORDERED, this the 28th day of November, 2011.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

mbh